

OPINION 1257

TIPULA FERRUGINEA FABRICIUS, 1805 (INSECTA, DIPTERA):
CONSERVED

RULING.—(1) Under the plenary powers the specific name *ferruginea* Scopoli, 1763, as published in the binomen *Tipula ferruginea*, and all uses of that name prior to the publication of *Tipula ferruginea* Fabricius, 1805, are hereby suppressed for the purposes of both the Law of Priority and the Law of Homonymy.

(2) The specific name *ferruginea* Fabricius, 1805, as published in the binomen *Tipula ferruginea*, is hereby placed on the Official List of Specific Names in Zoology with the Name Number 2866.

(3) The specific name *ferruginea* Scopoli, 1763, as published in the binomen *Tipula ferruginea*, and as suppressed under the plenary powers in (1) above, is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Number 1124.

HISTORY OF THE CASE Z.N.(S.)2255

An application for the conservation of the junior primary homonym *Tipula ferruginea* Fabricius, 1805 was first received from Professor George W. Byers (*Department of Entomology, University of Kansas*) on 19 March 1978. It was sent to the printer on 23 March 1979 and published on 1 July 1979 in *Bull. zool. Nom.*, vol. 36, pp. 40–41. Public notice of the possible use of the plenary powers in the case was given in the same part of the *Bulletin* as well as to the statutory serials, to seven general and seven entomological serials. No comments were received.

DECISION OF THE COMMISSION

On 22 November 1982 the members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (1982)31 for or against the proposals set out in *Bull. zool. Nom.*, vol. 36, p. 41. At the close of the voting period on 22 February 1983 the state of the voting was as follows:

Affirmative Votes—twenty (20) received in the following order: Melville, Holthuis, Mroczkowski, Savage, Uéno, Willink, Sabrosky, Schuster, Halvorsen, Corliss, Kraus, Alvarado, Trjápitzin, Hahn, Dupuis, Cocks, Starobogatov, Heppell, Bayer, Ride

Negative Votes—none (0).

Welch returned a late affirmative vote. Bernardi was on leave of absence. No votes were returned by Binder, Brinck, Cogger and Lehtinen.

Holthuis voted 'for, if to para 4(1) of the application is added "and all uses of this name prior to the publication of *Tipula ferruginea*

Fabricius, 1805". The suppression of *T. ferruginea* Scopoli 1763 alone for the purposes of the Law of Homonymy would make *Tipula ferruginea* Villers, 1789 a senior primary homonym of *Tipula ferruginea* Fabricius, 1805.' This comment was taken into account in drafting the present ruling.

ORIGINAL REFERENCES

The following are the original references to the names placed on an Official List and an Official Index by the ruling given in the present Opinion:

ferruginea, *Tipula*, Scopoli, 1763, *Entomol. carniolica*, p. 321

ferruginea, *Tipula* Fabricius, 1805, *Syst. antliat.*, p. 28.

CERTIFICATE

I hereby certify that the votes cast on V.P.(82)31 were cast as set out above, that the proposal contained in that voting paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1257.

R. V. MELVILLE

Secretary

International Commission on Zoological Nomenclature

London

19 April 1983